

## **MEMORANDUM**

**TO:** Cabinet Secretaries  
Agency Heads  
Personnel Executives  
Payroll Officers  
HR Consortium Members

**FROM:** Nikki Jackson, Secretary

**DATE:** July 21, 2008

**SUBJECT:** Personnel Cabinet new regulation 101 KAR 2:221  
Employee Educational Assistance Program (EEAP)

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The Personnel Cabinet has been advised by the Legislative Research Commission that 101 KAR 2:221 will have an effective date of August 1, 2008. The Employee Educational Assistance Program (EEAP) means the program described by 101 KAR 2:221 and adopted by the Governmental Services Center (GSC), which establishes and sets forth the terms and conditions of the Employee Educational Assistance Program. This administrative regulation establishes the requirements for employee participation in and the agency reporting obligations relating to the Employee Educational Assistance Program to ensure that agencies are maintaining and reporting required usage data.

The regulation for the EEAP states that The Governmental Services Center shall be responsible for issuing, administering, and monitoring the EEAP. A Cabinet or Agency may adopt an Educational assistance program to specify the terms and conditions of the Agency or Cabinet's participation in the Educational Assistance program that will not conflict with the EEAP and is subject to approval by GSC's Executive Director.

### **Summary of 101 KAR 2:221:**

The following information is a summary of information contained in the EEAP regulation.

- Regulation is for classified merit full time employees (FTE)
- EEAP documentation shall be maintained in the Cabinet or Agency's Educational assistance policy file and made available during periodic audits conducted by the GSC
- Funding for educational assistance shall come from a cabinet or agency's budget and is based on the availability of agency funds
- Each Cabinet or Agency shall ensure that the selected University/College has conducted regular assessments to accredit each academic, academic support, and non-academic programs

- A Cabinet or Agency shall establish approved lists of courses, programs, and degrees for which educational assistance may be granted.
- The following employees shall receive educational assistance only for classroom, online or independent study courses at Kentucky State University (KSU), unless the course, program or degree required is not available or offered at KSU:
  1. Employees who live in Franklin County or an adjoining county; or Employees whose work station is in Franklin County or an adjoining county.
  2. This KSU requirement shall apply uniformly unless the Executive Director of the GSC or designee waives the requirement for a particular employee or course with written approval to the exception request.
- A Cabinet or Agency may create a Special-Purpose Educational Assistance Program which provides educational assistance for an employee to obtain a specific degree or certification that is in the interest of the Cabinet or Agency. A cabinet or agency and employee may set different terms and obligations other than those established in the Educational Assistance Program. A Special-Purpose Educational Assistance Program may grant the employee the opportunity to use paid work hours to attend class or to complete coursework. A Cabinet or Agency shall not waive the pro-ration requirement for recovery of educational assistance funds if an employee fails to complete the six (6) month service obligation. Approval of a cabinet or agency's Special-Purpose Educational Assistance Program shall be subject to the written approval of the Executive Director of the GSC or their designee.
- The Cabinet or Agency shall maintain complete and accurate records relating to its Employee Educational Assistance Program and Special-Purpose Educational Assistance Program if applicable. A cabinet or agency's Educational Assistance program or Special-Purpose Educational Assistance Program records shall be made available for GSC periodic audits or upon request.

There is a new form entitled, Employee Educational Assistance Program Form, which will become the required and standard form for requesting educational assistance. The new form will be made available after August 1<sup>st</sup> at <http://personnel.ky.gov/gsc/eap/>

In the near future, GSC will begin scheduling meetings with cabinet and agency EEAP Coordinators and Personnel Administrators to provide guidance and answer questions regarding this new regulation.

Please find a copy of the EEAP regulation at <http://www.lrc.ky.gov/kar/TITLE101.HTM>

*This memorandum does not contradict, replace, amend or stand in the place of any rule, regulation, statute or law. Applicable rule, regulation, statute and law should be followed in all cases.*